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6                   UNITED STATES DISTRICT COURT  
7                   WESTERN DISTRICT OF WASHINGTON  
8                   AT SEATTLE

9                   UNITED STATES OF AMERICA,  
10                   Plaintiff,  
11                   v.  
12                   MOHAMED SOUMAH,  
13                   Defendant.

Case No. 2:18-CR-216-RSL

ORDER GRANTING  
UNOPPOSED MOTION TO  
CONTINUE TRIAL DATE  
AND EXTEND PRETRIAL  
MOTIONS FILING  
DEADLINE

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16                   This matter comes before the Court on defendant Mohamed Soumah’s “Unopposed  
17 Motion to Continue Trial Date and Extend Pretrial Motions Filing Deadline.” Dkt. #26. Having  
18 considered the facts set forth in the motion, and defendant’s knowing and voluntary waiver, the  
19 Court finds as follows:

20                   1.       The Court adopts the facts set forth in the unopposed motion; specifically, that  
21 defense counsel needs additional time to review discovery and investigate defendant’s mental  
22 status. The Court accordingly finds that a failure to grant a continuance would deny counsel, and  
23 any potential future counsel, the reasonable time necessary for effective preparation, taking into  
24 account the exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(7)(B)(iv).

25                   2.       The Court finds that a failure to grant a continuance would likely result in a  
26 miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i).

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28                   ORDER GRANTING UNOPPOSED MOTION TO CONTINUE  
TRIAL DATE AND EXTEND PRETRIAL MOTIONS FILING DEADLINE - 1

1       3. The Court finds that the additional time requested between March 11, 2019, and  
2 the proposed trial date in September 2019 is a reasonable period of delay, as defense counsel  
3 needs additional time to review discovery and investigate the mental status of defendant. The  
4 Court finds that this additional time is necessary to provide defense counsel reasonable time to  
5 prepare for trial, considering all the facts set forth above.  
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7       4. The Court further finds that this continuance would serve the ends of justice, and  
8 that these factors outweigh the best interests of the public and defendant in a speedier trial,  
9 within the meaning of 18 U.S.C. § 3161(H)(7)(A).

10      5. Defendant has signed a waiver indicating that he has been advised of his right to a  
11 speedy trial and that, after consulting with counsel, he has knowingly and voluntarily waived  
12 that right and consented to the continuation of his trial to a date up to and including September  
13 30, 2019, Dkt. #27, which will permit trial to start on September 9, 2019, per defense counsel's  
14 request.  
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16      IT IS HEREBY ORDERED that the trial date be continued from March 11, 2019 to  
17 September 9, 2019.  
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19      IT IS FURTHER ORDERED that the pretrial motions cutoff date be continued to July  
20 29, 2019.  
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22      IT IS FURTHER ORDERED that the period of time from the current trial date of March  
23 11, 2019, up to and including September 30, 2019, shall be excludable time pursuant to the 18  
24 U.S.C. § 3161, *et seq.* The period of delay attributable to this filing and granting of this motion  
is excluded for speedy trial purposes pursuant to 18 U.S.C. §§ 3161(h)(1)(D), (h)(7)(A), and  
(h)(7)(B).  
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26      DATED this 25<sup>th</sup> day of February, 2019.  
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Robert S. Lasnik  
United States District Judge

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